

City Planning Department



Memo

To: Cranston City Plan Commission
From: Joshua Berry, AICP - Senior Planner
Date: October 1, 2021
Re: "Trolley Barn Plaza" - Master Plan - Major Land Development

Owner/App: Trolley Barn Associates, LLC c/o First Hartford Realty Corp
Location: 777 Cranston Street, AP 7, Lot 1
Zone: Existing: M-2 (General Industry) – Proposed: C-5 with conditions
FLU: Existing: Special Redevelopment Area – Proposed: Highway Commercial/Services

I. Proposal

The applicant proposes a multi-use commercial project including a bank, gas station/mini-mart, fast food restaurant and a 35,000 ft² AutoZone with both retail and warehousing/distribution components. The bank, mini-mart and fast food restaurant all have drive-thru features.

This Major Land Development application is being proposed in coordination with a proposed change of zone request (Ordinance #09-21-02) to change the property's existing zoning designation of M-2 (General Industry) to C-5 with conditions to allow a warehousing use and the proposed freestanding sign. Additionally, the applicant seeks to amend the Comprehensive Plan Future Land Use Map designation of "Special Redevelopment Area" to "Highway Commercial/Services" and remove statements from the Land Use Element recommending a mixed-use development at this site (Ordinance #09-21-01).

For the project to move forward, it will require approval of the Major Land Development Master Plan, the Comprehensive Plan Amendment., and the zone change. The Plan Commission is charged with making a decision on the Master Plan stage of this Major Land Development application as well as with forwarding a recommendation on the proposed zone change application and Comprehensive Plan amendment to the City Council. **The rezoning ordinance and Comprehensive Plan amendment are separate and distinct from this MLD application, although related, and are currently scheduled to come before the Plan Commission in November, 2021.**

II. Documents which are part of the Major Land Development application

1. Master Plan application;
2. Application filing fees;
3. Subdivision plan set entitled "777 Cranston Street," prepared by Dana Nisbet, PE and Robert Babcock, PLS of DiPrete Engineering with date of July 16, 2021;
4. Landscape Plan by BETA Group, Inc. dated August, 2021;

5. Traffic Impact Study by BETA Group, Inc. dated July, 2021;
6. Master Plan checklist;
7. AutoZone Use Description by Richard Groff, AutoZone Real Estate Development Manager;
8. 100' radius map, list of abutters;
9. Letter regarding sewer availability signed by Edward Tally, Environmental Program Manager of the City of Cranston;
10. Correspondence regarding water availability from Providence Water;
11. Certificate of Municipal Leans;
12. Phase I Environmental Site Assessment Report by Earth Science, LLC dated 8/11/21;
13. Photo Study.

NEIGHBORHOOD AERIAL (400 ft. radius in black)



ZONING MAP

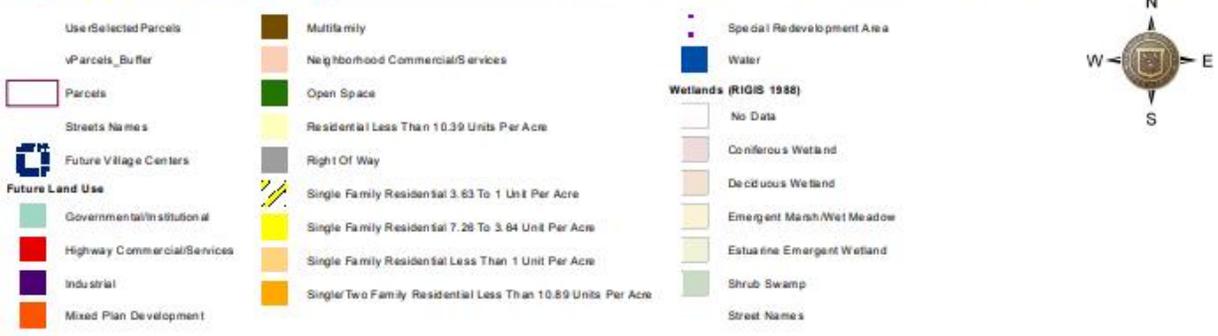
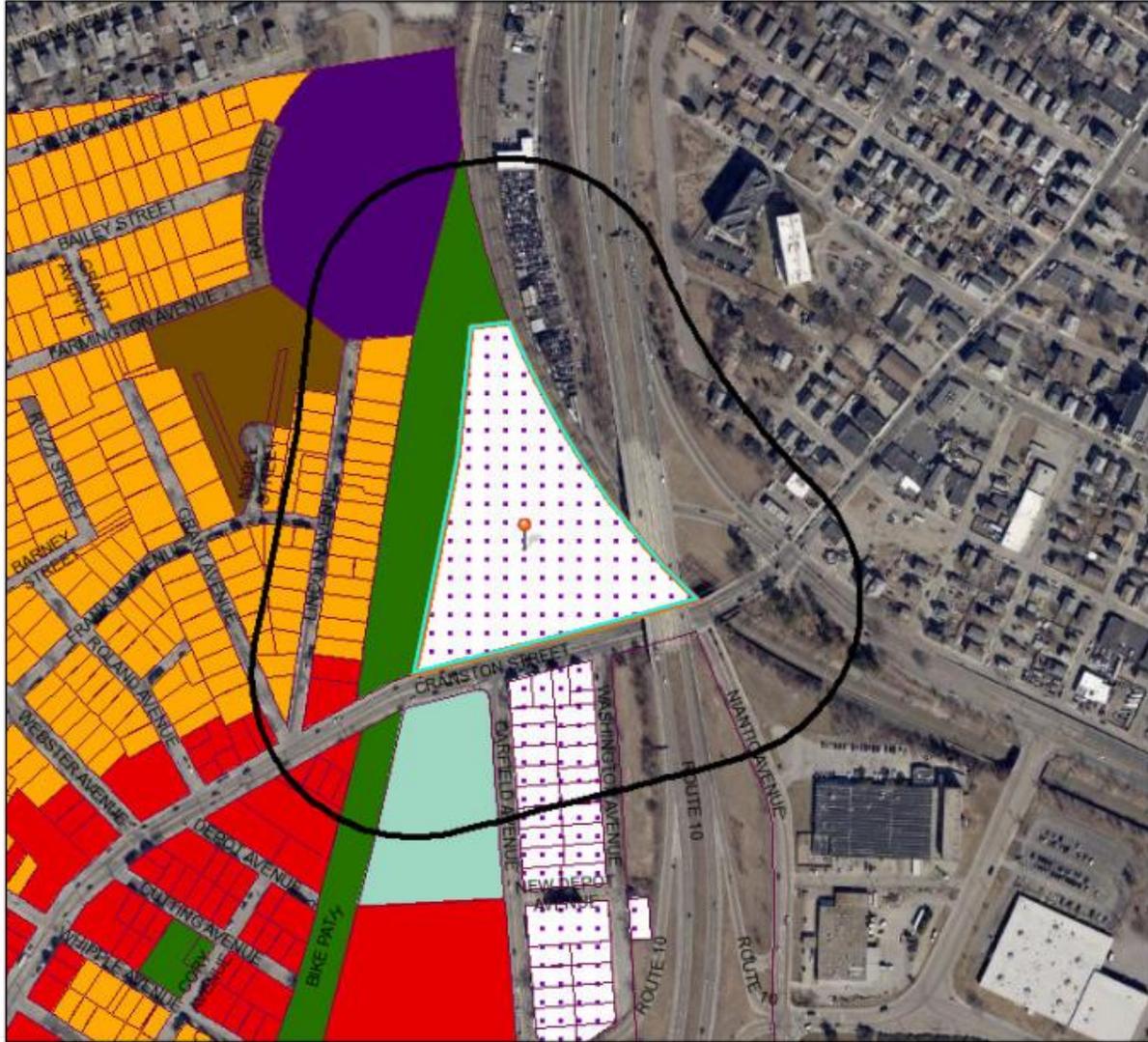


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FUTURE LAND USE MAP



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3-D AERIAL (facing north)



3-D AERIAL (facing east)



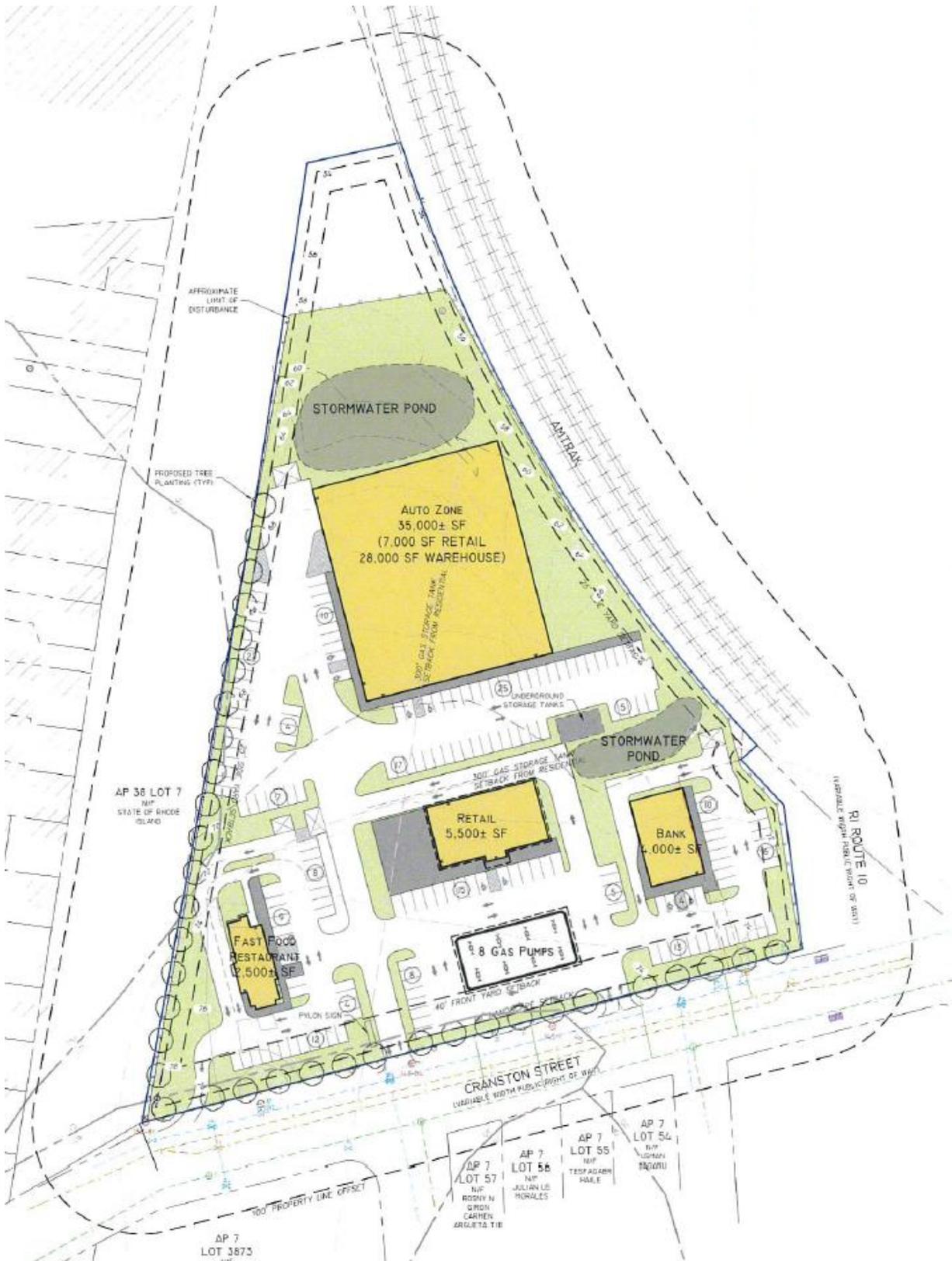
STREET VIEW (Cranston Street facing north)



LANDSCAPE PLAN



SITE PLAN



III. Surrounding land use and context

Analysis using Geographic Information System and other resources indicates that:

1. The subject parcel is located in Eastern Cranston in the northernmost point of the city near the border of the City of Providence, with frontage on Cranston Street. The property abuts the Amtrak railroad and Route 10.
2. The surrounding area contains a variety of land uses including a range of residential uses, commercial uses, a government/institutional uses (police station), and industrial uses.
3. There is a narrow piece of property directly abutting the subject parcel to the west that is a previous railroad right-of-way that is currently an undeveloped gully owned by the State of Rhode Island. There is some interest to explore the potential for it to be utilized at a future time to connect the bike path to the trails in Providence.
4. There are no wetlands or other significant natural features within the 400-foot radius of the subject property.
5. The project is free of any regulated floodplains or historic/cultural districts.
6. The 2018 Natural Heritage Map does not show any known rare species located on or near the site.
7. The site has minimal topography and slopes gently downward towards the north, away from the street frontage.

IV. Staff / Agency Comments

Pursuant to RIGL 45-23-41 A3, these plans were distributed for comment to the Public Works Department, Engineering Division, Bureau of Traffic Safety, Building and Inspections Department, Conservation Commission and the Fire Department.

The Bureau of Traffic Safety conveyed the following comments on 9/28/21:

1. *Scope of study may not be adequate...consider impact from Webster Ave. to Huntington Ave.*
2. *Potential traffic mitigation & improvements...signal upgrades & coordination; turn lanes; etc.*
3. *Significant trip generation for convenience market/gas station land use may be excessive for this site.*
4. *Geometry of the proposed right-in/right-out east of main signalized entrance does not appear adequate to deter prohibited left turn movements in and out of site. Consider right-in only design similar to right-out only at west end of site.*
5. *On-site truck circulation associated with Auto Zone is unclear.*

Staff has also notified the City of Providence, Statewide Planning and has made numerous attempts at notifying Amtrak of the proposal. No comments have been received from these agencies at this time.

V. Interests of Others

None to report at this time.

VI. Planning Analysis

The Major Land Development (MLD) Master Plan application is **NOT** a by-right proposal. The proposed uses are not permitted under M-2 zoning and the proposed zoning is not consistent with the Future Land Use Map (FLUM) and statements in the Land Use Element. The rezoning and Comprehensive Plan amendment ordinances, in conjunction with the Master Plan proposal, put the question before the city: **should the city allow the proposed land uses at this site?**

The Plan Commission must make the required findings under state law for the Master Plan MLD proposal, as well as make the required findings as codified in Section 17.120.030 *Amendments – Review by Planning Commission* as part of its recommendation to the City Council for the rezoning and Comprehensive Plan amendments. *Until the rezone and Comprehensive Plan amendments are fully considered, staff cannot make the required findings of fact necessary for the Master Plan MLD. For this reason, staff recommends that the Plan Commission **continue** the MLD application until the November 2, 2021 Plan Commission meeting.*

The question of “*should the city allow this*” is accompanied by the question of “**could the city allow this development as proposed?**” Otherwise put, does the Commission believe that the proposed uses and design meets (or can meet with conditions) the city’s standards for land developments? That is the question that staff will begin to address in this memo in hopes that the October meeting can be productive even without being able to discuss the zone change and Comprehensive Plan amendment.

Staff offers the following observations and analysis:

General:

1. The proposal complies with all C-5 zoning requirements or is asking for conditions to be incorporated into the zone change ordinance where there are inconsistencies (warehouse use and signage);
2. There are four (4) three-family homes directly across the street from the location of the proposed gas pumps. The applicant was able to locate the gas tanks 300’ away from the properties in order to comply with the City’s ordinance, but the ordinance is written so that no new storage tanks cannot be located within 300’ of residential property. However, fuel storage tanks are sealed so that fumes should not escape, but fumes from open air gas pumps are inevitable. The *pumps* do not have a codified setback and are proposed just over 100’ from the residences. Staff believes that the intent of the setback was to prevent the gas/fuel fumes from negatively impacting residents. Regardless of the intent of the gas tank setback ordinance, staff does not find the gas station as a compatible use with residential as designed and proposed;
3. There is no synergy between any of the four proposed uses. They all act completely independently, sharing no features except the access point;
4. The plans do not currently include bicycle facilities despite its proximity to the bike path;

5. A different mix of uses could offset trip generation peak hours and allow for shared parking arrangements.

Traffic Impacts:

1. Please see the [planning webpage](#) for the traffic study provided by BETA Group, LLC on behalf of the applicant, as well as the peer review of the traffic study by Fuss & O’Neill. The applicant has not yet responded to concerns in the peer review memo;
2. The applicant concludes on page 24 of the traffic study that the development “*will not have an adverse impact on public safety and welfare in the study area.*” However, the level of service summary of future build conditions on page 22 indicates that there will be a decrease in the level of service for each of the assessed areas, including a n overall level of surface change from “C” to “E” for the PM peak hour for Cranston Street at Niantic Avenue with a level of service “F” on for Niantic Ave northbound. Staff recommends that the applicant reconcile this finding with their stated conclusion. (Note that the City Plan Commission’s Traffic Policy defines “adequate capacity” as a Level of Service D or better on every major approach at signalized junctions or roundabouts);
3. Staff has asked the peer reviewer to comment on the point raised above and also to determine whether the relationship between the proposed development and the Achievement First Illuminar Mayoral Academy located at 85 Garfield Avenue is adequately accounted for in the traffic study;
4. The City’s Traffic and Safety Bureau has provided 5 concerns that are found on page 8 of this memo. Staff has conveyed these comments to the applicant and the peer reviewer for responses;
5. Staff has asked the peer reviewer whether they believe the necessary mitigation actions are being proposed for this master plan level of review or if more details or mitigation actions should be recommended/required.
6. It is still undetermined whether the traffic impacts are acceptable and/or can be sufficiently mitigated.

Off-Street Parking:

1. The site is significantly over-parked. There are 184 spaces proposed and 105 spaces are required, therefore the plan is over-parked by 79 spaces or 75%. The applicant should justify the amount of parking spaces or revise the plan to remove the excess spaces or reduce the site to 105 spaces. See the following parking table.

	AutoZone	Restaurant	Bank	Gas Station	TOTAL
Required	55	21	4	25	105
Proposed	90	33	33	28	184

Environmental Impacts:

1. The site is free of significant vegetation and structures;
2. No significant grading is anticipated;
3. The applicant has provided a Phase I Environmental Site Assessment Report. The report makes the following conclusion:

This assessment has revealed no evidence of Environmental Issues; however, RECs, CRECs, and HRECs were identified in connection with the subject property. Based on the conclusions of this assessment, Earth Science recommends the following: Earth Science recommends that a Phase II ESA be performed in order to assess the current conditions of the known contamination in the subsurface of the subject property, and to assess potential ongoing impacts to the subsurface of the subject property as a result of the known contaminant release at the west/southwest adjacent gas station facility.

Based on the above conclusion, should the Commission approve the master plan, staff recommends that a Phase II Environmental Site Assessment Report be made a condition of the approval and that all remediation actions must be completed, as applicable, prior to submittal of a Preliminary Plan application to the Development Plan Review Committee and Plan Commission.

Landscaping & Buffering:

1. The applicant has provided a conceptual landscape plan. Details of the landscape/buffering plan shall be worked out during the Preliminary Plan phase of development;
2. There is an existing natural buffer between the subject property and the residential neighborhood to the west of the project site, but the vegetation is located offsite on the State's property that was a former rail right-of-way (roughly 140' wide). There is no current proposal for this land but it may eventually be used as an extension of the bike path that currently terminates behind the police station.

Economic Impacts:

1. It is clear that the proposal would bring jobs and tax revenue to the City. Staff has asked the applicant to articulate the number of anticipated jobs, estimated tax revenue, and convey any other economic benefits that they believe this proposal offers the city.

Historic Significance:

1. The site is not in the Historic Overlay District, nor is there any historic structures on site – yet there the property has historic significance evidenced by the fact that it is commonly

referred to as the “Trolley Barn site.” As recommended by Chairman Smith during the pre-application meeting in September, the Commission would like the applicant to consider finding ways to integrate the history of the site into the development.

Energy/Sustainability:

1. The city has recently amended its polices surround solar energy and in doing so has articulated that it strongly supports rooftop and carport solar energy systems. Staff recommends that the applicant consider rooftop solar panels, especially on the 35,000 ft² AutoZone building, and/or solar carports for the parking areas.
2. Staff recommends that the applicant consider installing Electronic Vehicle (EV) charging stations.

Hours of Operation:

1. Staff has asked the applicant to provide the hours of operation for each use.

Conclusion:

1. Staff is generally positive about the economic impacts of this proposal, but has concerns relating to the traffic impacts, the impacts to the residences directly across the street, the lack of cohesion between the uses, and the proposed uses themselves.
2. Until staff and the Plan Commission fully consider the anticipated ordinances in November, the required findings of fact regarding consistency with the Comprehensive Plan cannot be made nor can the full impacts of the proposal be considered.

VII. DRAFT Findings of Fact

An orderly, thorough and expeditious technical review of this Master Plan has been conducted. Property owners within a 100’ radius have been notified via first class mail, a display ad was published in the Cranston Herald and the meeting agenda has been properly posted.

Staff has reviewed this Master Plan application for conformance with required standards set forth in RIGL Section 45-23-60, as well as the City of Cranston’s Subdivision and Land Development Regulations and finds as follows:

RIGL § 45-23-60. Procedure – Required findings. (a)(1) states, “The proposed development is consistent with the comprehensive community plan and/or has satisfactorily addressed the issues where there may be inconsistencies.”

Staff cannot make this finding until the Comprehensive Plan amendment is fully considered.

RIGL § 45-23-60. Procedure – Required findings. (a)(2) states, “The proposed development is in compliance with the standards and provisions of the municipality's zoning ordinance.”

Staff cannot make this finding until the zone change ordinance is fully considered.

*RIGL § 45-23-60. Procedure – Required findings. (a)(3) states, “There will be no significant negative environmental impacts from the proposed development as shown on the **final** plan, with all required conditions for approval.” (emphasis added)*

1. This finding pertains specifically to the final plan. At this phase (Master Plan), the applicant has provided an Environmental Phase 1 Assessment. The applicant will be required to further investigate the environmental issues and comply with any and all applicable environmental regulations and complete the required remediations.
2. The Rhode Island November 2018 Natural Heritage map shows that there are no known rare species located on the site.

RIGL § 45-23-60. Procedure – Required findings. (a)(4) states, “The subdivision, as proposed, will not result in the creation of individual lots with any physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable. (See definition of Buildable lot). Lots with physical constraints to development may be created only if identified as permanent open space or permanently reserved for a public purpose on the approved, recorded plans.”

3. The proposed Major Land Development does not propose any new lots or subdivision.

RIGL § 45-23-60. Procedure – Required findings. (a)(5) states, “All proposed land developments and all subdivision lots have adequate and permanent physical access to a public street. Lot frontage on a public street without physical access shall not be considered in compliance with this requirement.”

4. The subject property has adequate and permanent physical access to a public right-of-way through conforming lot frontage on Cranston Street.

VIII. Recommendation

Due to the fact that the required findings of fact cannot be made until the change of zone and Comprehensive Plan amendment ordinances are fully considered, staff recommends that the Plan Commission **continue** the application until the November 2, 2021 Plan Commission meeting.

IX. DRAFT Conditions of Approval

1. Prior to submittal of the Preliminary Plan application, the applicant shall obtain approval from the City Council for the proposed conditional zone change and Comprehensive Plan Amendment.
2. Prior to submittal of the Preliminary Plan application, a Phase II Environmental Site Assessment Report shall be conducted and all applicable remediation actions must be completed and approved by RIDEM.